



**Regional Office, Panchkula Region**  
**Haryana State Pollution Control Board**  
SCO-116, 1st, 11nd Floor, Sector -25, Panchkula  
Website - [www.hspcb.gov.in](http://www.hspcb.gov.in) E-Mail - [hspcbropkl@gmail.com](mailto:hspcbropkl@gmail.com)

**No. HSPCB/PKL/2022/1464**

**Dated: 30/11/2022**

To

The Registrar,  
National Green Tribunal,  
New Delhi.

**Sub: Report of the Joint Committee constituted by the Hon'ble NGT in O.A No. 418/2022 titled as Avinash Malik V/s State of Haryana.**

Please find enclosed herewith the report of the joint committee (**Annexure-A**) in compliance of order passed by Hon'ble NGT on 12.07.2022 and 11.11.2022 in O.A. No. 418 of 2022 titled as Avinash Malik V/s State of Haryana and Ors. after receiving the individual reply from DTP, Panchkula (**Annexure-B**) and **E.O. HSVP, Panchkula (Annexure-C)**.

Report of joint committee is submitted for kind consideration of the Hon'ble National Green Tribunal.

**Regional Officer**  
**Panchkula Region.**

**DA:- As above.**

**Report in compliance of order dated 11.11.2022 passed in OA No. 418 of 2022 titled as Avinash Malik vs State of Haryana and Ors.**

1. Sector-20, Panchkula is specifically planned for Group Housing Societies and FAR from 3 to 4 for planned EWS flats has already been got approved from Competent Authority/ Chief Minister. Hence, there is no violations in respect of the density as alleged by the applicant. Copy of approval is attached.
2. The facts alleged in the application that EWS flats are being planned in green belt of 9.6 acres found incorrect as neither any green belt nor any park in Sector-20, Panchkula has disturbed in planning of EWS flats.

Report submitted.



Administrator,  
HSVP Panchkula



Additional Chief Secretary  
(Town and County Planning)



Additional Chief Secretary  
(Environment and Climate Change Department)



Deputy Commissioner  
Panchkula



State Pollution Control Board  
(Regional Officer, Panchkula)

**OFFICE OF DISTRICT TOWN PLANNER (PLANNING), PANCHKULA**  
**MINI SECRETARIAT, SECOND FLOOR, SECTOR-1, PANCHKULA**  
E-mail - dtp2.tcp.panchkula@gmail.com Ph No.- 0172-2561112

To,

Memo No:- 3198

Dated:- 30.11.2022

Deputy Commissioner,  
Panchkula

**Subject: Minutes of 1<sup>st</sup> meeting held on 16.09.2022 at 11:30 AM under the Chairmanship of Mahavir Kaushik, IAS, Deputy Commissioner, Panchkula, with Members of Joint Committee regarding alleged destruction of Green Area/Natural Forest by construction 3200 EWS flats in green belt of 9.6 acre in phase-2 under Ashiana Scheme in the matter of OA No.418 of 2022 Avinash Malik V/s State of Haryana.**

*Reference: Minutes of the meeting dated 16.09.2022 forwarded by W/Deputy Commissioner, Panchkula vide e-mail dated 08.10.2022.*

Vide minutes under reference, the Chairman had directed the undersigned to submit the planning report whether constructions is allowed in the green area as per the approved plan regarding destruction of green area/natural forest by constructing 3200 EWS flats in Green Belt of 9.60 acre in phase-2 under Ashiana Scheme.

It is submitted that the representation dated 18.11.2020 received from Sh. Avinash Malik, #303, GHS 104-G, Sector-20, Panchkula through Hon'ble Speaker Haryana Vidhan Sabha in the O/o Chief Administrator, HSVP (Annexure-R1) with the request to earmark park in vicinity of GH-104-F, 104-G, 104-H & 104-I. Also, 2 nos. of Grievance have also been received on the CM window portal of the said office i.e. CMOFF/N/2020/085241 & CMOFF/N/2021/001466, wherein the complainants are complaining about the approval of Ashiana Scheme on land measuring 12.00 acres on the land developed as park measuring 1.62 acres (Park 2008) near GH-104-F, 104-G, 104-H & 104-I, Sector-20 (Part-II), Panchkula. Accordingly, the office record has been procured from the O/o Chief Administrator, HSVP and the facts of the matter are as under:

1. A meeting was held on 05.11.2018 under the chairmanship of Hon'ble Chief Minister, Haryana in which it was decided that about 20 acres land in Sector-20, Panchkula may be utilized for construction of 9000 dwelling units for adjustment of slum dwellers of Rajiv Colony and Indira Colony, Sector-20, Panchkula. The minutes of the meeting are placed at Annexure-R2.
2. In compliance of decision of above said meeting the pockets measuring 12.41 acres (Scheme-II) and 12.00 acres (Scheme-III including 1.62 acres Park area) were approved for the Ashiana Scheme in Sector-20 (Part-II), Panchkula in which the land in question i.e. Park 2008 is the part of Ashiana Scheme-III. The Ashiana Scheme was approved by W/ Chief Administrator, HSVP vide letter memo no. CTP(P)/VY/156040 dated 01.10.2020 (Annexure-R3).
3. Since the site designated as Ashiana Scheme-III is decided by O/o CE-II, HSVP for construction of flats over the area measuring 8.62 acres. Keeping in view of the requirement for Rehabilitation project and existing development at site, the CTP HSVP had sought the comments

from the Engineering Branch HSVP, who had informed that the park marked on the plan (Park 2008) is not the part of proposed Ashiana Scheme-III.

4. Accordingly, with reference to the CM Grievance No. CMOFF/N/2020/085241 titled as 'Save Park no. 2008 located behind G.H.S, 104-F,104-G,104-H,104-I in Sector-20, Panchkula', it was decided/approved by W/ Chief Administrator, HSVP and conveyed vide endst no.CTP/DTP(L)/VY/16844,45,17572 dated 01.02.2022 to restore the site of above said developed park as per approved Revised Layout-cum-demarcation plan dated 23.02.2017 (Annexure-R4).
5. It is further informed that the 3 nos. of pockets were proposed for Ashiana scheme in Sector-20, Panchkula and the area details of the Sector-20, Panchkula (Part-II) are as under:-

Sr. No.	Pocket No.	Area (in acres)	Remarks
1.	Pocket-I	8.72	Existing in the approved revised layout-cum-demarcation plan of Sector-20, Panchkula dated 13.12.2006 (Annexure-R5).
2.	Pocket-II	12.41	Proposed in the approved re-revised layout-cum-demarcation plan of Sector-20, Panchkula dated 01.02.2022 (Annexure-R6).
3.	Pocket-III	8.62	Proposed as 'Slum Rehabilitation Project' in the approved re-revised layout-cum-demarcation plan of Sector-20, Panchkula dated 01.02.2022 (Annexure-R6).

6. Also, there are total 8 nos of parks of various sizes comprising an area measuring approx. 17.00 acres including 5.56 acres green belt in the sector (Annexure-R6).

It is relevant to mention here that the representation dated 18.11.2020 of Sh. Avinash Malik, #303, GHS 104-G, Sector-20, Panchkula and Grievances were received in the O/o Chief Administrator, HSVP, Panchkula, accordingly, the matter relates to Chief Administrator, HSVP, Panchkula.

In view of the above facts, compliance report is submitted for consideration and further necessary action please.

**DA/As above**

(Annexure-R1 to R6)

*Sunjan*  
District Town Planner(P)  
Panchkula

**OFFICE OF DISTRICT TOWN PLANNER (PLANNING), PANCHKULA**  
**MINI SECRETARIAT, SECOND FLOOR, SECTOR-1, PANCHKULA**  
E-mail -dtp2.tcp.panchkula@gmail.com Ph No.- 0172-2561112

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Memo No:- 3198

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It is submitted that the representation dated 18.11.2020 received from Sh. Avinash Malik, #303, GHS 104-G, Sector-20, Panchkula through Hon'ble Speaker Haryana Vidhan Sabha in the O/o Chief Administrator, HSVP (Annexure-R1) with the request to earmark park in vicinity of GH-104-F, 104-G, 104-H & 104-I. Also, 2 nos. of Grievance have also been received on the CM window portal of the said office i.e. CMOFF/N/2020/085241 & CMOFF/N/2021/001466, wherein the complainants are complaining about the approval of Ashiana Scheme on land measuring 12.00 acres on the land developed as park measuring 1.62 acres (Park 2008) near GH-104-F, 104-G, 104-H & 104-I, Sector-20 (Part-II), Panchkula. Accordingly, the office record has been procured from the O/o Chief Administrator, HSVP and the facts of the matter are as under:

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5. It is further informed that the 3 nos. of pockets were proposed for Ashiana scheme in Sector-20, Panchkula and the area details of the Sector-20, Panchkula (Part-II) are as under:-

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In view of the above facts, compliance report is submitted for consideration and further necessary action please.

**DA/As above**  
(Annexure-R1 to R6)

*Sunjan*  
District Town Planner(P)  
Panchkula

**RESIDENTS WELFARE ASSOCIATION****Sector 20, Panchkula 134116**Redg. No. 00651 dt 2-6-2021.**K.K. JINDAL**

President

9878033559

Email : mr.kkjindal@gmail.com

**AVINASH MALIK**

Gen. Secretary

Mob. 9478880303

Email id : maliks\_20@rediffmail.com

Ref. RWA/21/Park

Dated. 09-07-2021

13.07.2021

The Chief Administrator  
H.S.V.P. Panchkula

SAVE PARK No : 2008 LOCATED BEHIND GHS : 104-F, 104-G, 104-H & 104-I SECTOR-20, PANCHKULA : ACQUISITION OF PART-I : NOT TO TRANSFER LAND OF WELL DEVELOPED PARK : 2008 TO ASHIANA SCHEME PART-II

Respected Sir,

15/7/2021

1. Kindly refer to the above subject.
2. The residents of Sector-20, Panchkula approached RWA to save the Green Area and well developed Park-2008. The residents made hue and cry & efforts for allotment of land for the Park on the vacant land behind GHS : 104-F, 104-G, 104-H & 104-I and besides GHS : 104. Accordingly your good self considered the efforts of the residents and necessity of the Park and also keeping in view the density of population of Sector-20 and shortage of Parks in the sector, was very kind enough to approve the revised lay out cum demarcation plan of Sector-20, Panchkula Parts-I & II vide drawing bearing No DPT(P) 1404/2017 dated 23.02.2017 and 1405/2017 dated 23.02.2017.
3. After approval & allocation of land to this Park, the MC Panchkula registered this Park and allotted the number as "Park-2008". Thereafter the MC Panchkula started development and the said Park duly developed was handed over to Park Development Society (P.D.S) - 2008. It is brought to your kind notice that the MC Panchkula has spent a huge Public/Govt. amount to develop the above Park. The latest photographs of the developed Park are enclosed here with for your kind perusal & reference please.
4. It is informed that the DTP (P) Panchkula vide its letter No 2749 dated 09.12.2020 has intimated that the above well developed Park has been merged in to Ashiana Scheme as approved by your office vide Memo No 156051 dated 01.10.20. It is brought to your kind notice that the above said Park is in a

Contd....2/-

Correspondance Address :-

PRESIDENT : # 103, GHS 6, SECTOR 20, PANCHKULA 134116

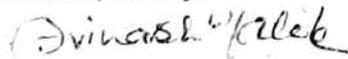
GEN. SECRETARY : # 303, GHS 104-G, SECTOR 20, PANCHKULA 134116

triangular shape located behind GHS : 104-F, 104-G, 104-H & 104-I and besides GHS : 104 is the acquisition of Part-I and the Ashiana Scheme is of Part-II.

5. It seems that your subordinate offices have inadvertently transferred the acquisition land of Part-I without knowing (might be overlooked) the present status of land already allotted to the said Park merging in to Ashiana Scheme for Part-II spreads over an area of about 12 acres (Park & Natural forest land).
6. We would like to draw your kind attention towards importance of greenery and values of trees in our life as observed during Covid-19 Pandemic. RWA has organized various trees plantation programs with various groups to enhance greenery, on the other hand HSVP is bent upon to destroy the existing well developed Park-2008 and adjoining Natural Forest spread over 9.6 acres area in Sector-20, Panchkula under Ashiana Scheme Part-II.
7. It is humbly requested to review the proposal and restore the status of approved and developed Park-2008 located behind GHS : 104-F, 104-G, 104-H & 104-I and besides GHS 104 just to save the huge Public/Govt. money already spent by MC Panchkula for development of the Park keeping in view the density of population otherwise, the amount so spent will go in waste.
8. It is worth mentioning here that the role of HSVP is to develop the basic amenities required by the public for their day to day use and Park is one of the main/major amenities for the common people residing in the Sector. It is highlighted that destroying the developed amenity i.e. Park-2008, in this case, is not a good gesture rather it will spoil the image of the Govt. and its functionary machinery.
9. In view of above, it is requested to look in to the matter personally and take positive action to restore the status of the Park - 2008 by excluding the Park from the existing plan of Ashiana Scheme Part-II and further requested to apprise the development to the Association.

Thanking you,

Yours Faithfully,



(Avinash Malik)

General Secretary

**Encls :** List of Persons & Residents showing resentment and Photographs of the developed Park



हरियाणा शहरी विकास प्राधिकरण

**HARYANA SHEHRI  
VIKAS PRADHIKARAN**

Tel : 0172-2571989,2570982  
Toll Free No. : 1800-180-3030  
Website : [www.hsvp.in](http://www.hsvp.in)  
E-mail id : [cehqhsvp@gmail.com](mailto:cehqhsvp@gmail.com)

Address : C-3, HSVP HQ, Sector-6,  
Panchkula

From

The Chief Administrator,  
HSVP, Panchkula

To

1. The Director General,  
Town & Country Planning Department,  
Haryana
2. The Director,  
Urban Local Bodies Department,  
Haryana
3. The Administrator,  
HSVP, Panchkula
4. The Commissioner,  
Municipal Corporation,  
Panchkula
5. The Chief Controller of Finance,  
HSVP, Panchkula
6. The Chief Town Planner,  
HSVP, Panchkula
7. The Chief Architect,  
HSVP, Panchkula
8. The Superintending Engineer,  
HSVP, Circle-Panchkula
9. The Estate Officer,  
HSVP, Panchkula
10. The Executive Engineer,  
HSVP, Division No. II,  
Panchkula
11. M/s JLL, Property Consultants (India) Pvt. Ltd  
Epitome, Level 16, Tower C  
Epitome, Building No. 5  
DLF Cyber City Phase III,  
Gurgaon-122002 (Haryana)

Memo No. CA-HSVP/CE-II/EE(HQ)/HDM(P)/2018/

Dated: - 12/11/18

**Sub: - Minutes of meeting held on 05.11.2018 at 03:00 P.M. under the Chairmanship of Hon'ble Chief Minister, Haryana at his residence regarding rehabilitation and resettlement of slum Dwellers of Rajiv Colony, Indira Colony and Kharag Magoli, Panchkula.**

I have been directed to enclose herewith a copy of minutes of meeting held on 05.11.2018, under the Chairmanship of Hon'ble Chief Minister, Haryana to discuss rehabilitation and resettlement of slum Dwellers of Rajiv Colony, Indira Colony and Kharag Magoli, Panchkula. It is requested to take further necessary action in the matter on priority, being Hon'ble CM's Announcement (Code 19813 dated 01.08.2017).

DA/As above

*[Signature]*  
12/11/18  
**Executive Engineer (HQ),  
for Chief Administrator, HSVP,  
Panchkula**

CC:

1. PS/PSCM for kind information of Principle Secretary to Hon'ble Chief Minister, Haryana.
2. PS/PSULB for kind information of Principle Secretary to Govt. Haryana, Urban Local Bodies Department.
3. PS/PSTCP for kind information of Ld. Principal Secretary to Govt. Haryana Town & Country Planning Department.
4. PS/CA, HSVP for kind information of Ld. Chief Administrator, HSVP, Panchkula.
5. PA/CE-II, HSVP for information of Chief Engineer-II, HSVP, Panchkula.

**Proceedings of meeting held on 05.11.2018 at 3:00 P.M. under the Chairmanship of Hon'ble Chief Minister, Haryana at his residence regarding rehabilitation and resettlement of Slum Dwellers of Rajiv Colony, Indira Colony and Kharag Magoli, Panchkula.**

The following Officers attended the meeting:

1. Sh. Gian Chand Gupta, Hon'ble MLA, Panchkula
2. Sh. Rajesh Khullar, IAS, Principal Secretary to Hon'ble Chief Minister, Haryana
3. Sh. Anand M. Sharan, IAS, Principal Secretary to Govt. Haryana, Urban Local Bodies Department.
4. Sh. A.K. Singh, IAS, Principal Secretary to Govt. Haryana, Town & Country Planning Department.
5. Dr. J Ganesan, IAS, Chief Administrator HSVP, Panchkula.
6. Sh. Shekhar Vidyarthi, IAS, Director, Urban Local Bodies Department, Haryana.
7. Sh. Naresh K. Pawar, Chief Engineer-II, HSVP, Panchkula.
8. Sh. Naresh Mehtani, Chief Town Planner, HSVP, Panchkula.
9. Smt. Manjeet Kaur, Chief Town Planner, Urban Local Bodies Department, Haryana.
10. Sh. Sanjiv Chopra, Superintending Engineer, HSVP. Circle-Panchkula
11. Sh. Sorabh Vohra, Representative of M/s JLL Pvt. Ltd.

At the onset of meeting, the Chairman welcomed all the participants.

Principal Secretary to Govt. Haryana, Urban Local Bodies Department (PSULB) briefed the participants that as per survey got conducted by HSVP, the total number of beneficiaries in Rajiv Colony, Indira Colony and Kharag Magoli is 7569. He further informed that Rajiv Colony and Indira Colony are spread over an area of 44.75 acres approx. and area of Kharag Magoli Colony is approx. 6.0 acres. He further explained that the rehabilitation scheme of ULB department, approved by the State Cabinet, provides for 250% FAR and accordingly an area of about 59 acres would be required to rehabilitate the identified number of beneficiaries.

After detailed deliberations, it was unanimously decided that parameters like FAR and density shall have to be got revised so as to make this special rehabilitation project viable. Hon'ble MLA Panchkula pointed out that some land in Sector-20 Panchkula has recently become available to HSVP and suggested to utilize some portion of that land to rehabilitate slum dwellers of Rajiv Colony, Indira Colony, instead of 'in-situ' construction. Accordingly, the following decisions were taken:

1. About 20 acres land in Sector-20 Panchkula may be utilized for construction of 9000 dwelling units so as to adjust the slum dwellers of all such encroached lands in Panchkula U.E. The project shall be undertaken by HSVP being the owner of this land.
2. CTP, HSVP shall seek the approval of revised FAR and density parameters for this particular Project from Town & Country Planning Department.
3. The carpet area of dwelling units may be kept between 28 to 35 sq. m. so as to make viable the construction of two rooms unit for each beneficiary. The Chief Engineer-II, HSVP, Panchkula and Superintending Engineer, HSVP Circle-Panchkula will go through the design of constructed licenced affordable group housing colonies in the State to suggest the minimum size required. The Chief Architect, HSVP shall prepare the drawing and arrange its approval from competent authority.
4. Population/density of Sector-20 Panchkula would substantially increase with the coming up of this special project, as such, HSVP shall seek necessary permission/relaxation for Sector 20 Panchkula from the Town Country Planning Department.
5. ULB Department shall provide financial assistance to such beneficiaries who are ineligible for assistance as per PMAY guidelines and this shall be on the lines of similar scheme worked out by them for Ghumuntu tribes etc. The eligible beneficiaries shall anyways be covered under PMAY.

The meeting ended with vote of Thanks to all the Participants and the

Chair.

---XXX---



हरियाणा शहरी विकास प्राधिकरण  
O/o Chief Town Planner,  
HARYANA SHEHRI VIKAS PRADHIKARAN

Tel : 0172-2560605  
Fax : 0172 2560605  
Website : www.hsvphry.org.in  
Email id : ctphsvp1@gmail.com  
Address : C-3 HSVP HQ Sector-6  
Panchkula

To

The Zonal Administrator,  
HSVP, Panchkula.

Memo. No. CTP(H)/VY/ 158040

Dated: 11/11/2022

**Subject: Regarding approval of Re-revised layout plan of Sector-20 (Part-II) Panchkula.**

Reference: Your office memo no.2531 dated 25.09.2020.

Two proposals of Re-revised layout plan of Sector-20 (Part-II) Panchkula, received vide letter under reference, have been examined.

A copy of the approved Re-revised layout plan of Sector-20 (Part-II) Panchkula is enclosed herewith for information and further necessary action. It is requested to send the demarcation-cum-zoning plan of Sector-20 (Part-II), Panchkula alongwith ZPC recommendations to this office on **PRIORITY**, so that the same may be got approved from Chief Administrator, HSVP.

DA/As above.

(Devender Pal, DTP)  
for Chief Town Planner, HSVP

Dated: 11/11/22

Endst: CTP(H)/VY/ 158042, 48, 49, 51, 53

A copy of above is forwarded to the following for information and necessary action:-

1. The Chief Controller of Finance, HSVP, Panchkula.
2. The Chief Engineer-II, HSVP, Panchkula.
3. The Senior Town Planner, HSVP, Panchkula.
4. The District Town Planner, Panchkula alongwith a copy of approved Re-revised layout plan of Sector-20 (Part-II) Panchkula with the request to incorporate it in overall plan of the sector and circulate its copies to all concerned offices including this office.
5. The Estate Officer, HSVP, Panchkula.

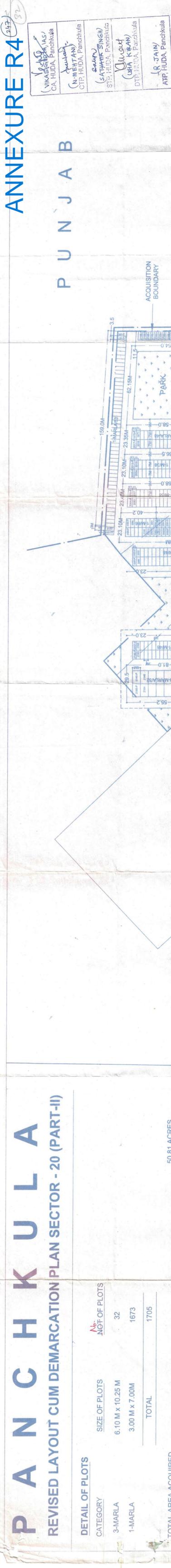
(Devender Pal, DTP)  
for Chief Town Planner, HSVP

NIKAS (N.K.A.S.)  
CA. HUDA, Panchkula  
(N-MENTARI)  
CTP, HUDA, Panchkula  
S.P. HUDA, Panchkula  
(S.P. HUDA)  
DTP, HUDA, Panchkula  
(R. JAIN)  
ATP, HUDA, Panchkula

ANNEXURE R4

PUNJAB

ANNEXURE R4



LICENSED GRANTED TO M/S SAMAR ESTATE AREA = 7.182 ACRES

GH-108 4000 SQM  
GH-109 4000 SQM  
GH-110 4000 SQM  
GH-111 4000 SQM

ASHIANA SCHEME 8.72 ACRE

STATE BOUNDARY

ACQUISITION BOUNDARY

STATE BOUNDARY

50.81 ACRES

AREA IN ACRES

2.63  
3.25  
0.61  
51.42  
9.17  
1.02  
8.72  
2.92  
3.95  
2.93  
2.09  
0.90  
0.45  
0.19  
0.25  
18.83

DESCRIPTION

1. LAND GIVEN BY HUDA TO SAMAR ESTATE  
2. LAND GIVEN BY SAMAR ESTATE TO HUDA  
3. DIFFERENCE OF 1 & 2 ABOVE  
4. NET PLANNED AREA  
5. AREA UNDER PLOTS  
6. AREA UNDER INSTITUTIONAL SITE  
7. AREA UNDER ASHIANA SCHEME  
8. AREA UNDER COMMERCIAL  
9. AREA UNDER GROUP HOUSING  
10. AREA UNDER HIGH SCHOOL  
11. PRIMARY/NURSERY SCHOOL  
12. NURSERY SCHOOL/CRECHE  
13. AREA UNDER NURSERY SCHOOL  
14. AREA UNDER SULBH SOCHALYA  
15. AREA UNDER TUBE WELL  
16. AREA UNDER ROADS/PARKS/GREEN BELT

NOS.

17(16)  
1  
1  
1  
4  
1  
1  
1  
1  
1  
1  
2  
1  
1  
1  
1

NOTE :-

- (1) THE DEMARCATION PLAN HAS BEEN BASED ON THE DIMENSIONS RECEIVED FROM XEN. HUDA DIVISION NO. 1 P.K.L. VIDE HIS MEMO. NO. 20940 DT. 30.11.2000.
- (2) THIS DRAWING HAS BEEN APPROVED BY C.A. HUDA. AS INTIMATED BY C.T.P.-H.U.D.A. VIDE HIS ENDST. NO. 8844 DATED 23.10.2001.
- (3) THE DIMENSIONS OF THE SITE OF P.S./N.S. NEAR PLOT NO. 1035-P AND N.S./CRECHE NEAR PLOT NO. 2121-P 2120-P SUPPLIED BY EXECUTIVE ENGINEER HUDA DIVISION NO. 1 PANCHKULA VIDE THEIR MEMO. NO. 341 DATED 8.1.2002 HAS BEEN INCORPORATED IN THIS DRAWING.
- (4) SIZE OF SULBAH SOCHALYA HAS BEEN KEPT AS/DIRECTION GIVEN BY S.T.P. (P) VIDE HIS MEMO NO. 2150 DATED 18.06.02.
- (5) THIS DRAWING IS THE ORIGINAL TRACING OF DRAWING NO. 642 DATED 27.04.2001.
- (6) THE SITE OF ASHIANA SCHEME HAS BEEN APPROVED BY GOVT. AS INTIMATED BY CA HUDA (T.P. WING) PANCHKULA VIDE HIS ENDST. NO. CTP-HUDA-DTP(M) 19710 DATED 13.12.2006.
- (7) GROUP HOUSING SITES NOS. 108, 109, 110 & 111 HAVE BEEN APPROVED BY C.A. HUDA AS CONVEYED BY C.T.P. HUDA VIDE HIS MEMO NO. 3210 DATED 8.4.99.
- (8) THE DIMENSIONS OF THE SITE NURSERY SCHOOL/CRECHE NEAR G.H.-111 SUPPLIED BY EXECUTIVE ENGINEER HUDA DIVISION NO.1 P.K.L. VIDE OTHER MEMO NO. 341 DT.8.1.2002 HAS BEEN INCORPORATED IN THIS DRAWING.
- (9) PLOT NOS. 1842-A TO 1842-N, 1842-P, 1842-Q, 1867-A TO 1867-N, 1867-P TO 1867-S, 1961-A TO 1961-G, 1962-A TO 1962-J, 2071-A TO 2071-C, 2072-A TO 2072-F, 2091-A TO 2091-N, 2091-P TO 2091-Z, 2091-AA, 2091-AA, 2091-P, 2092-A TO 2092-N, 2092-P TO 2092-Z, 2092-AA, 2092-AB, 2092-AC, 2092-P, 2155-A TO 2155-E, 2155-A TO 2155-F, 2166-A TO 2166-Z & 2166-AA TO 2166-AG HAVE BEEN ADDED.

SCALE :- 1 CM = 10.0 M.

DRG. NO. D.T.P. (P) 1405/2017 DATED 23.02.2017

CHECKED BY

DRAWN BY

PLANNING ASSISTANT

ASSISTANT TOWN PLANNER

DISTRICT TOWN PLANNER

SENIOR TOWN PLANNER

DEPARTMENT TOWN & COUNTRY PLANNING HARYANA





हरियाणा शहरी विकास प्राधिकरण  
O/o Chief Town Planner,  
HARYANA SHEHRI VIKAS PRADHIKARAN

23 -  
Tel. : 0172-2560605  
Website : www.hsvphry.org.in  
Email id : ctphsvp3@gmail.com  
Address : C-3 HSVP HQ Sector-6  
Panchkula

To

The Administrator,  
HSVP, Panchkula.

Memo. No.: CTP/DTP(L)/VY/ 11027

Dated: 21/1/22

**Subject: Amendments in approved Layout Plan of Sector-20 (Part-II), Panchkula.**

The sites for Slum Rehabilitation Project measuring 8.625 acres and the land proposed to be given to the Developer for monetization purpose measuring 20.00 acres have been approved 'in-principle' by Chief Administrator, HSVP. A copy of re-revised Layout Plan of Sector-20(Part-II), Panchkula showing the approved proposal in red colour is enclosed for further necessary action please.

It is requested to finalize the planning of rest of the sector area at the earliest and send to this office for approval of Chief Administrator HSVP.  
DA/As above.

*[Signature]* 20/01/22  
(Lata Hooda, DTP)  
for Chief Town Planner, HSVP

Endst no. CTP/DTP(L)/VY/ 11028, 29, 30, 31, 32, 33 Dated: 21/1/22  
A copy of above is forwarded to the following for information and necessary action please:-

1. The Chief Architect, HSVP, Panchkula.
2. The Chief Controller of Finance, HSVP, Panchkula.
3. The Chief Engineer-II, HSVP, Panchkula.
4. The Senior Town Planner, Panchkula.
5. The District Town Planner, Panchkula alongwith a copy of approved Plan with the request to circulate the same to all the concerned offices including this office.
6. The Estate Officer, HSVP, Panchkula.

*[Signature]* 20/01/22  
(Lata Hooda, DTP)  
for Chief Town Planner, HSVP

Letter-DTP(L)-2022

be carried out in Sector-20 & 28 Panchkula.

After adjusting them in Sector-20, Panchkula slum dwellers of Kharak Mangoli colony and other scattered jhuggis settlement in

# ANNEXURE R6

SITE OF SRP & 20.00 ACRES LAND PROPOSED TO BE GIVEN TO DEVELOPER 'IN-PRINCIPLE' APPROVED BY CA HUDA, VIDE APPROVAL DATED 03/04/2019

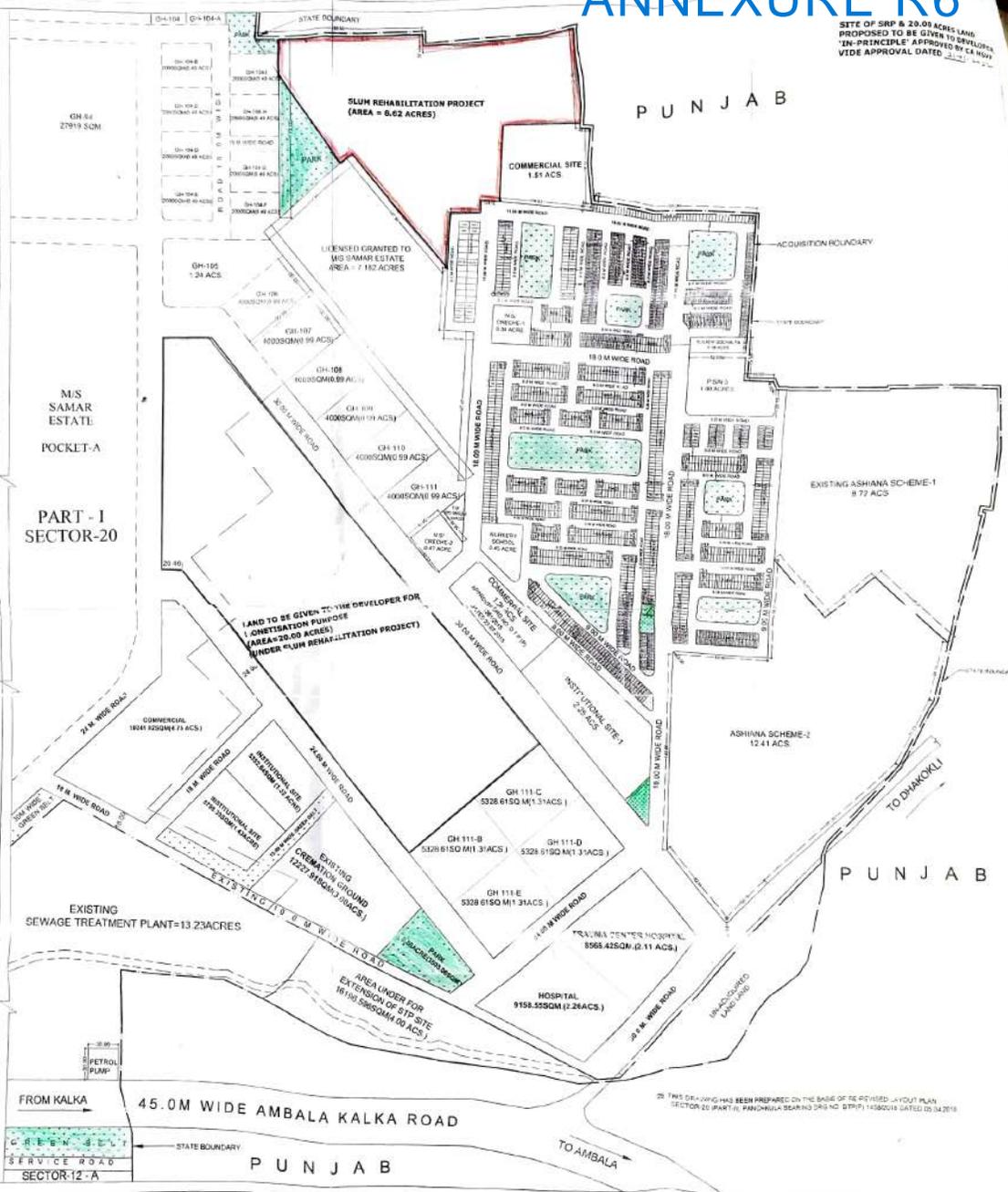
## PANCHKULA

### RE-REVISED LAYOUT PLAN SECTOR - 20 (PART-II)

DETAIL OF PLOTS		
CATEGORY	NO. OF PLOTS	NO. OF PLOTS
34848A	4 (10 M x 16.25 M)	4
14848A	1 (10 M x 1.50 M)	1
TOTAL		5

TOTAL AREA ACQUIRED SECTOR-20(PART-I)&(II) (8178.73 ACRES)		126.18 ACRES
LAND GIVEN BY SAMAR ESTATE TO HUDA		3.25 ACRES
LAND GIVEN BY HSP TO SAMAR ESTATE (B)		2.80 ACRES
DIFFERENCE OF A & B ABOVE		0.45 ACRES
NET PLANNED AREA (106.1482 ACRES)		106.50 ACRES
1. AREA UNDER SITE OF 16871		4.90 ACRES
2. AREA UNDER ASHIANA SCHEME (20972.41)		21.03 ACRES
3. AREA UNDER GROUP HOUSING (158 TO 1511)		2.38 ACRES
4. AREA UNDER GROUP HOUSING (1174 TO 1111 F)		20.73 ACRES
5. AREA UNDER GROUP HOUSING (1174 TO 1111 F)		1.11 ACRES
6. AREA UNDER TRAVEL CENTER HOSPITAL		2.11 ACRES
7. AREA UNDER HOSPITAL		2.20 ACRES
8. AREA UNDER INSTITUTIONAL SITE (11-23)		1.30 ACRES
9. AREA UNDER EXISTING OF CREMATION GROUND		8.34 ACRES
10. AREA UNDER RESERVED FOR EXTENSION OF STP		4.80 ACRES
11. AREA UNDER PRIMARY SCHOOL/NURSERY SCHOOL		1.10 ACRES
12. AREA UNDER NURSERY SCHOOL		0.15 ACRES
13. AREA UNDER NURSERY SCHOOL/CRECHE		0.37 ACRES
14. AREA UNDER SUNSHINE SOCIETY		0.10 ACRES
15. AREA UNDER TUBE WELL		0.75 ACRES
16. AREA UNDER EXISTING SEWAGE TREATMENT PLANT		13.23 ACRES
17. AREA UNDER ROAD PARK/GREEN BELT		19.30 ACRES

- NOTE -**
- ON SITE 108 & 107 NOT SHOWN IN THE LAYOUT PLAN OF SECTOR-20 PART-I PANCHKULA THE ABOVE AREA STATEMENT IS ON ACQUISITION WHICH SHOULD HAVE BEEN ANNOUNCED ON THE DATE OF ACQUISITION.
  - GROUP HOUSING SITES NO. 108, 109, 108, 111 HAVE BEEN APPROVED BY CA HUDA AS COMMERCIAL SITE IN PLOT NO. 108.
  - THE DEMARCATION PLAN HAS BEEN BASED ON THE DIMENSIONS RECEIVED FROM AERIAL PHOTOGRAPHS AND FIELD SURVEY AND MEASUREMENTS.
  - THIS DRAWING HAS BEEN APPROVED BY CA HUDA AS INTENTED BY THE HUDA OFFICE ON 03/04/2019.
  - THE DRAWING IS THE ORIGINAL DRAWING NO. 50/24/2019.
  - THE DIMENSIONS OF THE SITE OF 2.8 ACRES NEAR PLOT NO. 108 AND ADJACENT CRECHE NEAR PLOT NO. 111 & 20.00 ACRES SITE OF THE ENGINEER U.S.A. DIVISION INCORPORATED IN THIS DRAWING.
  - THE DIMENSIONS OF THE SITE NURSERY SCHOOL/CRECHE NEAR PLOT NO. 111 SUPPLIED BY EXECUTIVE ENGINEER HUDA DIVISION 1, PUNJAB, INDIA ON 03/04/2019.
  - THE SITE OF SUNSHINE SOCIETY HAS BEEN APPROVED BY CA HUDA ON 03/04/2019.
  - THE SITE OF ASHIANA SCHEME HAS BEEN APPROVED BY CA HUDA INTIMATED BY CA HUDA ON 12/02/2019.
  - PLOT NO. 108 & 107 TO 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



SCALE: 1 CM = 10 M  
 DRG. NO. D.T.P. 157/2021  
 DRAWN BY: [Signature]  
 PLANNING ASSISTANT (VACANT)  
 ASSISTANT TOWN PLANNER PANCHKULA  
 DISTRICT TOWN PLANNER PANCHKULA  
 DEPT. TOWN & COUNTRY PLANNING HARYANA

DATE: 17/2/2021  
 CHECKED BY: [Signature]  
 SENIOR TOWN PLANNER PANCHKULA

SECTOR-12-A

THIS DRAWING HAS BEEN PREPARED ON THE BASIS OF THE REVISED LAYOUT PLAN SECTOR 20 (PART II)

**From**

The Estate Officer,  
HSVP, Panchkula.

**To**

✓ The Deputy Commissioner,  
Panchkula.

Memo No. 3420

Dated: 30/11/22

**Subject :- Minutes of 1<sup>st</sup> meeting held on 16.09.2022 at 11.30 A.M. under the Chairmanship of Mahavir Kaushik, IAS Deputy Commissioner, Panchkula, with members of Joint Committee regarding alleged destruction of Green Area/ Natural forest by construction 3200 EWS flats in green belt of 9.6 acre in phase-2 under Ashiana scheme in the matter of OA no. 418 of 2022 titled as Avinash Malik Vs State of Haryana.**

On the above subject cited above, it is intimated:-

1. That the petitioner has not come with clean hands before the NGT and suppress the material facts. It is relevant to mention here that before the Hon'ble High Court in CM No. 15193 of 2006 in CWP No. 3855 of 1982 titled as Dr. Jagdish Singh Sarkaria & others Vs. State of Haryana & others and connected matters with the prayer that Notification dated 24<sup>th</sup> June, 1980 issued under Section 4(1) of the Land Acquisition Act, 1894 (hereinafter referred to as, 'the Act') along with two subsequent Notifications dated 17<sup>th</sup> October, 1980 and 30<sup>th</sup> July, 1982 respectively, issued under Section 6 of the Act be quashed. In reply to CM it has specifically mentioned that the site of the applicant falls in Sector-20, Panchkula, which has been planned in two phases i.e. Part-I and Part-II, in Part-I, Group-Housing sites have been carved out and in Part-II, 2040 plots of EWS (Economically Weaker Section) category have been proposed to be carved out. Copy of reply is attached herewith.
2. That the Hon'ble High Court dismissed the claim of the petitioner and petitioner filed Civil Appeal no. 12047 of 2017 before Hon'ble Supreme Court of India and Hon'ble Supreme Court pleased to dismiss the appeal vid order dated 24.08.2017 by holding that:-

*"In the circumstances of the instant case such a prayer cannot be allowed as the economically weaker sections of the society cannot*

*be deprived of their right of having the benefits for which they are entitled to under the scheme of planned development. There was no interim stay on passing of award as such it was rightly passed. 15. Thus, we find no ground for interference in the judgment and order passed by the High Court. Appeals being bereft of merits are dismissed. No costs"*

Copy of order attached.

3. **That the acquired land comes under the prerogative of HSVP to utilize the land for public purpose. It will be worthwhile to mention here that the EWS flats are being planned to make the city slum free and the persons who are going to be rehabilitate in EWS flats are also human beings and have equal right as a citizen under the constitution of India.**
4. That as Sector-20 is specifically planned for Group Housing Societies and FAR from 3 to 4 for planned EWS flats has already been got approved from Competent Authority/ Chief Minister. Hence, there is no violations in respect of the density as alleged by the applicant. Copy of approval is attached.
5. **That neither any green belt nor any park in Sector-20, Panchkula has disturbed in planning of EWS flats.**
6. That despite already approved green belt/parks in Sector-20 HSVP has also added the more area in parks/green belts from time to time by approving the same. At present eight parks total area measuring 17 acres approx including 5.56 acres green belt in the sector are existing.
7. That site located behind GHS No. 104-F, 104-G, 104-H, 104-I, Sector-20, Panchkula has approved as "save park no. 2008" as per approved revised layout -cum-demarcation plan dated 23.02.2017. Copy of letter dated 01.02.2022 and 21.01.2022 alongwith layout plan is attached herewith.
8. It is intimated that the proposal to rehabilitation slum dwellers of Panchkula City is still under consideration and has not finalized yet.

This is for your information and necessary action.

DA: As above.

  
Estate Officer,  
HSVP, Panchkula.

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Annex. P-14

IN THE HIGH COURT FOR THE STATES OF PUNJAB &  
HARYANA AT CHANDIGARH

Civil Misc. No. 15193 of 2006

In

CWP No. 3855 of 1982

Dr. Jagdish Singh Sarkaria & others ... Petitioners

Versus

State of Haryana & others ... Respondents

Reply to the application filed by the petitioners' under section 151 of CPC by Devendra Nimbokar, District Town Planner (HQ), Department of Town & Country Planning, Haryana, Chandigarh on behalf of respondent No. 1 & 2.

RESPECTFULLY SHOWETH: -

PRELIMINARY SUBMISSIONS:

1. That though Director, Town and Country Planning Department, Haryana has not been impleaded as a respondent in the main petition, but since, the contentions raised by the petitioners in the present application relate to this Department also, therefore, reply to the C.M. is being filed on behalf of the Director, Town & Country Planning, Haryana.
2. That it is submitted that Haryana Development & Regulation of Under Areas Act, 1975 was enacted with the objectives

(171)

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to regulate use of land in order to prevent ill planned and haphazard urbanization in or around towns in the State of Haryana. This Act provides for grant of licenses for setting up of residential, commercial and industrial colonies. Thus, arguments the efforts of the state authority in creating housing and urban infrastructure. Many a time situation arises, where the lands, which are subject matter of acquisition, are also under consideration for grant of licenses. To meet these kinds of situations, the State Government has framed a policy since the year 1991, which has been amended from time to time. The Government has taken decisions from time to time for release of the lands under consideration for grant of license in accordance with the following basic parameters approved in these policy decision:

- i) That the ownership of the land must be prior to issuance of Section 4 of the notification under Land Acquisition, 1894.
- ii) That the case should fit into the integrated planning of the Sector/Urban Area i.e. merit of each case is to be examined vis-à-vis the requirement of the land notified for acquisition for Haryana Urban Development Authority (herein after referred as

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HUDA) or need to develop it through private sector for its integration within a sector. Thus, it is not necessary that land is released from acquisition in every case where a party applies for grant of license for development of residential / commercial / industrial colony. Every case is examined on its merits and it is only after the Department feels that the case falls within the parameters of the policy guidelines, a decision is taken to grant the license after release of land from acquisition and subject to fulfillment of other terms and conditions for grant of license. A copy of the policy decision, which was placed before the Council of Ministers and approved by the cabinet in its meeting held on 6.3.2000. Relevant portion of the policy decision is as under:

"Similar problem was felt in the cases of grant of license to the colonizers / developers under Section 3 of the Haryana Development & Regulation of Urban Areas Act, 1975 for setting up of residential / commercial colonies / complexes.

To overcome this problem, Department considered the matter in the larger interest of the

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integrated urban development and generation of resources for the state from time to time. The council of ministers in its meeting held on 30.7.1998 approved the proposal that applications for grant of fresh licenses / additional license may also be considered on merit, in case, the land is purchased before notification under Section, 4 of the Land Acquisition Act, 1894, though the application for the same is received thereafter. Such land may be released from acquisition, but the release was further subject to recommendations of the DTCP-cum-CA, HUDA, who has to examine every case on merit to determine whether the proposed acquisition is more in the interest of HUDA sector in terms of viability and integrated planning."

It is submitted that Commissioner & Secretary to Govt. Haryana, Town & Country Planning Deptt. vide their memo No. 5/20-2007/2TCP, dated 26.10.2007 has recently framed the policy regarding release of land from acquisition proceedings and the related extract of the said policy is as below:

"5) Any land in respect of which an application under section 3 of the Haryana Development and

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Regulation of Urban Areas Act, 1975, has been made by the owners prior to the award for converting the land into a colony, may also be considered for release subject to the condition that the ownership of the land should be prior to the notification under section 4 of the Act."

It is submitted that the applicants, who own land measuring about 21.84 acres in village Kundi, District Panchkula entered into a collaboration agreement with M/s. Amar Nath Aggarwal Investments Pvt. Ltd., Panchkula for setting up a group-housing colony on the land owned by them and submitted an application on 27.7.2005 in the Department of Town & Country Planning, Haryana for grant of licence for setting up a group-housing colony under the provisions of Haryana Development and Regulations of Urban Areas Act, 1975. That case of the applicants was examined by the Department and it was observed the land of the applicants was under acquisition proceedings. The applicants have also filed a CWP No. 3855 of 1982 under the title Dr. Jagdish Singh Sarkaria Versus State of Haryana and others, which is still pending before this Hon'ble Court. As per procedure/practice, comments of HUDA were also sought on the application submitted by the applicants for

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grant of licence. It was reported by HUDA that the site of the applicant falls in Sector-20, Panchkula, which has been planned in two Phases i.e. Part-I and Part-II, in Part-I, group-housing sites have been carved out and in Part-II, 2040 plots of EWS (Economically Weaker Section) category have been proposed to be carved out. It was also reported that the land of the applicants abuts the pocket of EWS plots of HUDA in Sector-20, Part-II. It may be further submitted that in a normal residential sector 35% of the total number of plots are of EWS category. However, Sector-20, Part-I has been planned as a special project with the provision of group-housing sites exclusively and EWS Plots exclusively in Part-II with a view to provide adequate number of plots for EWS. The land of the applicants has been planned by HUDA to be kept for EWS category plots/flats. Since, the land of the applicants is under stay dispossession, planning of this land has not been finalized and only the tentative planning as an extension of the EWS pocket (for EWS plots, Commercial Infrastructural facility sites) has been done. It is also pointed out that though the applicants submitted application for grant of licence for about 21.24 acres but the land of the applicants is divided in 4 pockets i.e. two pockets in Sector-20, Part-I and another

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two pockets in Sector-20, Part-II. The applied land is marked as pocket A, B, C & D on the concerned layout plans placed at Annexure R-1 & R-2. It would be observed that the land falling in pocket 'A' is only compact. Area of this pocket is 20.022 acres. If, this pocket is utilized by HUDA for EWS category Plots/flats, then going by the maximum permissible density of 600 PPA or 120 Dwelling Units per acre and estimated number of 1800 flats can be provided on the land in question (plotable area of about 15 -- Acres after leaving 2.3 acres area under commercial belt, and another 2.7 acres under Primary / Nursery Schools / Dispensary etc.). Similar, if the land is utilized for plots, then based on the calculations, about 1150 plots of 1 Marla category can be provided besides the Commercial Belt, Primary School, Sulabh Sauchalya etc. The road of 25 meter wide is also affected. Therefore, if the applicants are granted licence for group - housing colony, the same would adversely effect the planning proposals of the HUDA and HUDA would not be able to provide EWS category plots / flats to the poor and needy people. It was in view of these circumstances that the Department / State Govt. returned the application on 29.8.2006 under Rule 7 of the Haryana Development and Regulation of Urban Areas Rules, 1976

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and was requested to resubmit the same as and when the land becomes free from litigation.

The contention of the applicants that their case is similar to the case of the other applicants i.e. Petitioners No. 1, 2 (through LRs) and 3 and Ishwar Chand, Keshav Chand etc., who have been granted licence for setting up a group-housing colony in the same sector, though their land was under acquisition proceeding is wrong and untenable. It is submitted that in their case, the site of the proposed group-housing colony fell within Part-I of Sector-20, Panchkula, which as already submitted is planned exclusively for group-housing sites, whereas, the site of the present applicants falls in Part-II of Sector-20, Panchkula, which has been exclusively planned for EWS category. Hence, the case of the applicants cannot be compared with the case of petitioner and with that of Ishwar Chand, Keshav Chand etc. The application is therefore, liable to be dismissed on this ground alone.

REPLY ON MERITS:

1. That para 1 of the application is not disputed.
2. That para 2 of the application being matter of record need no comments.

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3. That contents of para 3 of the application are admitted.
4. That para 4 of the application being matter of record need no comments.
5. That para 5 of the application being matter of record need no comments.
6. That para 6 of the application being matter of record need no comments.
7. That para 7 of the application being matter of record need no comments.
8. That para 8 of the application being matter of record need comments.
9. That para 9 of the application being matter of record need no comments.
10. That para 10 of the application being matter of record need no comments.
11. That para 11 of the application is admitted to the extent that applicants own land measuring 21.84 Acres in village Kundi, Distt. Panchkula and have also entered into a collaboration agreement with M/s. Amarnath Aggarwal Investments Pvt.

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Ltd., Panchkula for setting up a group-housing colony, however, it is submitted that the land is under acquisition proceedings and notification under section 4 and 6 of the Land Acquisition Act were issued in the year 1980 and 1982 respectively.

12. That contents of para 12 of the application being matter of record are not disputed.
13. That contents of para 13 of the application are admitted.
14. That contents of para 14 of the application are wrong and denied. It is vehemently denied that the case of the applicants is similar to the case of the petitioner and that of Ishwar Chand, Keshav Chand etc. As already submitted in para 2 of the preliminary submissions, the land of the applicants falls within Part-II of Sector-20, Panchkula, which has been exclusively planned for group-housing for EWS category of plots, whereas, the site of the cases as mentioned by the applicants, who have been granted licence falls within part-I of Sector-20, which has been exclusively planned for group-housing sites. Hence, the case of the applicants cannot be compared with the cases mentioned in this para. If, the land of the applicants is also released from acquisition, it would adversely affect the

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planning of EWS category of plots / commercial area and other infrastructure facilities to be provided by HUDA in the sector. Also HUDA would not be able to provide further plots for EWS category in the sector.

- 15. That contents of para 15 of the application are wrong and denied in view of the detailed submissions made in para 2 of the preliminary submissions and para 14 of the reply on merits.
- 16. That contents of para 16 of the application are admitted to the extent that the applicants are petitioners in the above-said writ petition. However, in view of the submissions made in foregoing paras, it is denied that the case of the applicants is identical to the facts of the case of petitioners No. 1, 2 and 3 and that of Ishwar Chand, Keshav Chand etc.
- 17. That para 17 of the application is wrong and denied in view of the submissions made in foregoing paras. The land of the applicants cannot be released from acquisition as the same is likely to adversely effect the planning proposals of HUDA and HUDA would not be able to provide EWS plots to the needy and poor persons as no other area has been planned for EWS category of plots by HUDA.

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18. That para 18 of the application is wrong and denied.

In view of the submissions made in foregoing paras, the present application filed by the applicants is devoid of any merits and the same deserves to be dismissed. The applicants are not entitled to any relief as claimed for in this application. It is, therefore, respectfully prayed that the same may kindly be dismissed with costs.

Sd/-  
Distt. Town Planner (HQ)  
O/o Director, Town & Country Planning  
Haryana, Chandigarh

Place: Chandigarh  
Dated: 17.3.2008

#### VERIFICATION

Verified that the contents of para nos. 1 and 2 of the preliminary submissions and para 1 to 19 of reply on merits are true and correct to the best of my knowledge. and based on information derived from official record, which I believe to be true. Legal submissions have been made on advice. No part of it is false and nothing material has been concealed therein.

Sd/-  
Distt. Town Planner (HQ)  
O/o Director, Town & Country Planning  
Haryana, Chandigarh

Place: Chandigarh  
Dated: 17.3.2008

//true copy//

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.12047 OF 2017  
(ARISING OUT OF SLP (C) NO.3083 OF 2010)

JATINDER PAL SINGH AND ANR.

APPELLANTS

VERSUS

STATE OF HARYANA AND ORS.

RESPONDENTS

WITH

C.A.NO.12048 OF 2017

(@SLP(C) No. 6961/2010)

C.A.NO.12049 OF 2017

(@SLP(C) No. 7731/2010)

C.A.NO.12050 OF 2017

(@SLP(C) No. 7068/2010)

C.A.NO.12053 OF 2017

(@SLP(C) No. 12837/2010)

C.A.NO.12052 OF 2017

(@SLP(C) No. 14402/2010)

C.A.NO.12051 OF 2017

(@SLP(C) No. 14232/2010)

O R D E R

1. Heard learned counsel for the parties.
2. Leave granted.
3. The acquisition which had been made in the year 1980 is subject matter of challenge in the appeal. The Notification under Section 4 of the Land Acquisition Act had been issued on 24.06.1980 for acquisition of appellant(s) property and declaration under Section 6 was issued on 17.10.1980.
4. There was an interim stay by the Division Bench of the High Court in the Writ Petition filed by the several persons including the appellant(s) herein.
5. The Haryana Urban Development Authority issued a Notification under Section 4 on 29.01.1990 and thereafter a similar Notification under Section 4, issued on 26.04.1995.
6. The matter had been decided by the High Court on 12.11.2009. There were certain interim orders which were passed by the High Court restraining the Government from seeking possession of the land. Thereafter, award had been passed on 09.08.2010.

Signature Not Verified  
Digitally signed by  
RASHI GUPTA  
Date: 2012.09.09  
12:15:10 IST  
Reason: [ ]

7. The matter came to this Court on 08.03.2010. This Court passed the order of *staus quo* with respect to the possession and at the time of passing of the award, there was no interim stay on proceedings by this Court. Passing of the award was not stayed by this Court.
8. Mr. Amarendra Saran, learned Senior Counsel appearing on behalf of the appellants has argued that once fresh Notification under Section 4 was issued on 29.01.1990, followed by another notification under Section 4 on 26.04.1995. By these notifications acquisition of the land of the appellant(s) stood abandoned and it was not open to give effect to the Notification dated 24.06.1980. It was also urged that inquiry under Section 5A was not properly conducted and the appellants were not given an opportunity to participate in inquiry under Section 5A of the Act. The passing of the award on 09.08.2010 was bad in law for the reason that there was interim order granted by this Court with respect to possession. It was further submitted by Mr. Saran that certain lands had been released out of the same zone reserved for economically weaker sections of the society, whereas the prayer made by the appellant(s) for releasing the land had been rejected on the ground that the land of the appellant(s) fell in Zone II, which was reserved for economically weaker sections of the society. It was also urged that they are ready to provide Group Housing Scheme for economically weaker sections of the society, in case their land is released. Thus,

it would be in the interest of justice to quash the order with respect to rejecting the prayer of the appellant for releasing of the land.

9. Mr. Ajay Bansal, learned counsel appearing on behalf of the respondents submitted that there was no abandonment of acquisition with regard to land covered under Notification dated 24.06.1980 issued under Section 4 of the Act. As a matter of fact, there was additional requirement of land and due to interim stay of the Court, certain fresh notifications were issued that too after 10 years and 15 years of the notification issued under Section 4 of the Act in the instant case. The issuance of fresh notifications would not come in the way of the acquisition in question in the instant case as it has never been abandoned. Learned counsel contended that land could not have been released as it was falling within zone II, reserved for economically weaker sections of society. The inquiry under Section 5A had also been held before issuance of declaration under Section 6 but no objections were preferred by the appellants under Section 5A and it appears that some of them have acquired the land and after issuance of the notification under Section 4 they could not question the legality of the acquisition. It was further contended that since there were interim orders passed by the High Court as such award could not have been passed, this Court has only ordered status quo with respect to possession that is why award had been passed on 09.08.2010. Hence no case for

interference is made out.

10. Firstly, we examine the question of abandonment. No doubt that three successive notifications had been issued under Section 4 of the Act and there has been lot of time gap in these notifications. First notification in the instant matter was issued in the year 1980, subsequent notification was issued after 10 years in 1990, and thereafter in April, 1995. The land of the appellants were excluded from subsequent acquisition, by modifying the notification. It could not be said that there was subsequent notification with respect to some of the same land. Since there was further requirement of land which arose and there was necessity for acquisition of other land, it was open to the respondents to make fresh acquisition.
11. Secondly, coming to the question of no proper inquiry held under Section 5A. The inquiry was held under Section 5A. It is clear from the elaborate judgment of the High Court that due publicity had been made in the village/locality and a large number of objections had been preferred which also makes it clear that due opportunity had been given to the persons in the village and they were aware about the acquisition. The objections had not been submitted by the appellants. The submission is thus too tenuous to be accepted.
12. Thirdly, coming to the submission raised by learned Senior Counsel that there was discrimination in not releasing the land. It was submitted that land of others in the same zone

had been released and discrimination had been made with respect to the appellants. It was clarified by the learned counsel appearing for the respondents that land which had been released fell under another Zone and not in Zone II, which was reserved for economically weaker sections of the society. Be that as it may. We are of the considered opinion that there is no concept of negative equality. In case any land had been released by the respondent(s), out of the land reserved for economically weaker sections of the society, it would not give any legal right to appellants as such land should not have to be released.

13. We cannot perpetuate illegality as that would be against interest of weaker sections of the society. Thus, we find that once the land is reserved in Zone II which is reserved for economically weaker sections of the society, it was not open to release the land and no illegality had been committed by the respondents by rejecting the prayer made by the appellant(s) for release of land.

14. Coming to the another submission raised by Mr. Saran that appellants are holder of an agreement and are ready to provide Housing Scheme to the economically weaker sections of the society. We are not at all impressed by this submission. In the circumstances of the instant case such a prayer cannot be allowed as the economically weaker sections of the society cannot be deprived of their right of having the benefits for which they are entitled to under the scheme of planned

development. There was no interim stay on passing of award as such it was rightly passed.

15. Thus, we find no ground for interference in the judgment and order passed by the High Court. Appeals being bereft of merits are dismissed. No costs.

.....J.  
[ARUN MISHRA]

.....J.  
[MOHAN M. SHANTANAGOUDAR]

New Delhi  
August 24, 2017

ITEM NO.5

COURT NO.11

SECTION IV-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 3083/2010

(Arising out of impugned final judgment and order dated 12-11-2009 in CWP No. 3855/1982 12-11-2009 in CWP No. 3855/1982 passed by the High Court of Punjab & Haryana at Chandigarh)

JATINDER PAL SINGH AND ANR.

Petitioner(s)

VERSUS

STATE OF HARYANA AND ORS.

Respondent(s)

WITH

SLP(C) No. 6961/2010 (IV-B)  
SLP(C) No. 7731/2010 (IV-B)  
SLP(C) No. 7068/2010 (IV-B)  
SLP(C) No. 12837/2010 (IV-B)  
SLP(C) No. 14402/2010 (IV-B)  
SLP(C) No. 14232/2010 (IV-B)

Date : 24-08-2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA  
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Mr. Amrinder Saran, Sr. Adv.  
Mr. Gopal Jain, Sr. Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Raghav Dwivedi, Adv.  
Ms. Ishita Chakarborti, Adv.  
Mr. E. C. Agrawala, AOR

Mr. Sandeep Narain, Adv.  
Ms. Anjali Agarwal, Adv.  
For M/s. S. Narain & Co., AOR

Mr. Anil Kumar Mittal, Adv.  
Mr. Ashok K. Mahajan, AOR

Mr. R. V. Kameshwaran, AOR

Mr. Bhashkar Vali, Adv.  
Mr. Ramesh M. Keswani, Adv.

Mr. A. K. Vali, Adv.  
Mr. Ram Lal Roy, Adv.  
Mr. R. N. Keswani, AOR

For Respondent(s) Mr. Ugra Shankar Prasad, AOR  
  
Mr. Mohan Lal Sharma, AOR  
  
Mr. Ajay Bansal, Adv.  
Mr. Sanjay Kumar Visen, AOR  
Mrs. Veena Bansal, Adv.  
Mr. Gaurav Yadava, Adv.  
Mr. Devendra Singh, Adv.  
Mr. Dheeraj Gupta, Adv.  
  
Mr. Naresh Bakshi, AOR  
  
Mr. E. C. Agrawala, AOR  
  
Mr. Ashok Mathur, AOR  
  
Mr. A. N. Arora, AOR

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The Civil Appeals are disposed of in terms of the Signed  
Order.

(RASHI GUPTA)  
SENIOR PERSONAL ASSISTANT

(TAPAN KUMAR CHAKRABORTY)  
BRANCH OFFICER

[SIGNED ORDER IS PLACED ON THE FILE]



**HARYANA SHEHRI VIKAS PRADHIKARAN**

*FPP*

23. Thereafter, the proposal was submitted on file for approval to request M/s JLL Pvt. Ltd. to submit the proposal of rehabilitation of slum dwellers of Rajiv Colony, Indira Colony and Kharag Mangoli Colony, Panchkula in Sector-20 and 28, Panchkula on PPP mode. However, the file was received back with some observations from Ld. Chief Administrator and the same were attended by this office.
24. To further expedite the matter, a meeting was held on 04.01.2021 under the Chairmanship of the then CA, HSVP. Subsequently, the then CA, HSVP was transferred and the file was placed before the next incumbent. Thereafter, some presentations were made by M/s JLL Pvt. Ltd. before Ld. CA HSVP to explore other available options to implement this project.
25. The matter was discussed recently during the meeting held on 26.05.2021 under the Chairmanship of Hon'ble Speaker Haryana Vidhan Sabha. During discussions, the Chairman desired to take up the matter on top priority and also directed to float RFP for this project by 30.06.2021. To further expedite the matter, a meeting was held under the Chairmanship of Ld. CA HSVP during which it was suggested to increase the FAR of this project upto 4.00, for which approval may be sought from competent authority. Accordingly, M/s JLL Pvt. Ltd. was requested to submit proposal with revised norms. Thereafter, revised proposal was received from M/s JLL Pvt. Ltd. and the same was placed on file at N.P. 114-118 ante.
26. Another file in the matter was also placed before Ld. CA HSVP wherein timelines for various activities pertaining to this project were suggested (N.P. 119). The file has been received back wherein Ld. CA HSVP has commented "I would like RFP be ready to be floated by 15<sup>th</sup> June." Also the matter was discussed by Ld. CA HSVP with CE-II on 09.06.2021 during which it was directed to float RFP with global FAR 4.0 and ground coverage of 50% for this project. Also, Ld. CA HSVP has desired to restrict the construction period of EWS houses to maximum 24 months.
27. Accordingly, M/s JLL Pvt. Ltd. was requested through email dated 09.06.2021 to prepare RFP with global FAR of 4.0 and ground coverage of 50%. Also, through email dated 10.06.2021, M/s JLL Pvt. Ltd. was requested to restrict the construction period of EWS houses to maximum 24 months.
28. Now, vide email dated 10.06.2021, Terms of Reference (TOR) for the RFP have been received from M/s JLL Pvt. Ltd. and the same are placed below at F/I. The gist of RFP is as under:

Parameters	Description
Project Details	SELECTION OF DEVELOPER FOR DEVELOPMENT OF EWS HOUSING IN SECTOR 20 AND SECTOR 28, PANCHKULA ON PUBLIC PRIVATE PARTNERSHIP (PPP) MODE

*contd. on page-124*

HARYANA SHEHRI VIKAS PRADHIKARAN

F.P.P

HSVP

<p><b>Development Control Norms</b></p>	<p>a. Maximum FAR of 4 (four) will be allowed for the Project on the entire Site.</p> <p>b. However, if part of the FAR for the SRP Area remains unutilized, the same can be utilized by the Developer on the Developer's Area, subject to overall compliance to planning and development control norms applicable to the Developer's Area.</p> <p>c. Ground Coverage of 50% (fifty) percent will be allowed for the project on the entire site.</p> <p>d. EWS Unit shall mean and include the housing units earmarked as EWS Units to be constructed by the Developer pursuant to the terms and conditions of the Development Agreement.</p> <p>e. The total Built Up Area to be developed on SRP Area for 7,500 (seven thousand five hundred) EWS Units will be 28.24 (twenty eight point two four) lakh sq. ft (approx.)</p> <p>f. Preferable technology for construction of EWS houses should be as per guidelines of MoHUA/ RCC construction in accordance with NBC.</p>
<p><b>Construction Period</b></p>	<p><b>Rehabilitation Area:</b> The Developer shall complete the construction of the SRP Assets in all respects within <b>24 (twenty-four) months</b> from the Effective Date. In case of delay by the Developer in completing the construction of the SRP Assets within the above time period, an extension for a maximum period of 6 (six) months may be provided subject to levy and recovery of Delay Liquidated Damages from the Developer as per the Development Agreement.</p>
<p><b>Bid Parameter</b></p>	<p>Grant / Premium to be quoted by the Bidder. The Bid can either be a Premium or a Viability Grant.</p>
<p><b>Zoning Regulations</b></p>	<p>The developer has the flexibility to develop residential and/or commercial and other infrastructure facilities developed on the Developer's Area as per the PDP Construction Plan finalized by Developer and approved by HSVP as per the Development Agreement.</p>
<p><b>Selection of Developer</b></p>	<p><b>Preferred Bidder</b> shall mean the Bidder who (a) meets the Qualification Criteria and the eligibility criteria; and (b) quotes the highest Premium or seeks the lowest Grant. If a Bidder(s) seeks a Grant, while another Bidder(s) quotes a Premium, then the term Preferred Bidder shall mean the Bidder who (i) meets the Qualification Criteria and the eligibility criteria; and (ii) quotes the highest Premium.</p> <p><b>Successful bidder</b> shall be the one who (i) meets the Qualification Criteria and the eligibility criteria; and (ii) quotes the highest Premium.</p>
<p><b>Payments from Bidder</b></p>	<p><b>During Bid Stage</b></p> <ul style="list-style-type: none"> <li>•Tender Fee - INR 10,000/- plus Taxes (non-refundable)</li> <li>•Bid Security/ Earnest Money Deposit - INR 5,00,00,000 (Rupees five crores) (1% of the Estimated Project Cost) - (refundable no later than 60 (sixty) days from the Bid Due Date or selection of successful developer, whichever is later) along with Technical Proposal in the form of an unconditional and irrevocable bank guarantee.</li> <li>•In case of any variation in the tentative project cost, the difference in amount shall be deposited by successful developer to HSVP/returned by HSVP to bidder, as the case may be.</li> </ul>

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F.P.P

**HARYANA SHEHRI VIKAS PRADHIKARAN**

<b>Client</b>	H.S.V.P (Haryana Shehri Vikas Pradhikaran)
<b>Objective</b>	HSVP intends to engage a developer who will: (i) design, develop, finance, construct, complete and hand over Slum Rehabilitation Project (SRP) Assets to HSVP free of cost in accordance with the terms of the RFP and, (ii) design, finance, construct, market, allot, complete and transfer PDP Units on the Developer's Area in accordance with the RFP (collectively the Project).
<b>Location</b>	Sector 20 and Sector 28 Panchkula, Haryana
<b>Transaction Advisor</b>	HSVP has appointed M/s Jones Lang LaSalle Property Consultants (India) Pvt. Ltd. (JLL) as the transaction advisor for development of the Project on PPP model.
<b>Land Area</b>	The total land area to be developed of 37.00 Acres is divided into (i) rehabilitation area of 17 acres (Slum Rehabilitation Area) and (ii) developer area (Developer's Area) of 20 Acres.
<b>Estimated Built-up Area</b>	28,24,500 sq.ft. (approx.) considering 7,500 EWS units with Built up Area of 35 Sq.mt. each
<b>Estimated Project Cost</b>	Total Project Cost of SRP Assets shall be the cost of the project facilities developed on the Rehabilitation Area as estimated by the transaction advisor and agreed by HSVP, which for the purpose of this Project is taken as <b>INR. 500,00,00,000</b> (Rupees five hundred crores) only.
<b>Project Development Components</b>	<p>The Project envisages two components:</p> <p>(a) <b>Development of SRP Assets over the SRP Area</b>, which will comprise:</p> <ul style="list-style-type: none"> <li>(i) Construction of 7,500 (seven thousand five hundred) EWS Units of Built up Area 35 Sq.m. each</li> <li>(ii) Basic Services Infrastructure Facilities and Services: comprising all common infrastructure facilities, including electricity, tube well, water tank, internal roads, sewage treatment plant, drainage etc., within the Site boundaries, to be financed, constructed and completed by the Developer as a part of the SRP Assets, in accordance with the SRP Requirements and other provisions set out in the Development Agreement.</li> </ul> <p>(b) <b>Development of PDP Units over the Developer's Area:</b> This will comprise residential cum commercial development and other infrastructure facilities developed on the Developer's Area as per the PDP Development Plan finalized by Developer and approved by HSVP as per the Development Agreement.</p>
<b>Fixed Parameters</b>	SRP Assets: The Developer shall develop and hand over to HSVP free of cost all the SRP Assets within <b>24 (twenty-four) months</b> from the Effective Date. The Developer may handover part of SRP Assets to HSVP within the SRP Construction period as and when it completes the construction in all respects.

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## HARYANA SHEHRI VIKAS PRADHIKARAN

<b>Performance Security</b>	Performance Security of an amount equal to INR 15,00,00,000 (Rupees fifteen crores) to secure its obligations during the SRP Construction Period, in the form of an irrevocable and unconditional bank guarantee (Performance Security). The Performance Security shall be released only after the expiry of the SRP Construction Period, and signing of conveyance deed, whichever is later.
<b>Payment Schedule of Concession Fee</b>	<p>The Concession Fee shall be payable by the selected bidder or HSVP depending upon whether the Selected Bidder has quoted a Premium or Grant.</p> <p><b>Premium:</b> If the Selected Bidder quotes a premium, the Developer shall pay to the HSVP the whole quoted amount of such premium in 4 (four) equal instalments as per the terms and conditions of the Development Agreement.</p> <p>1st (first) instalment - On or before the Effective Date 2nd (second) instalment - On or before completion of 6 (six) months from the Effective Date 3rd (third) instalment - On or before completion of 12 (twelve) months from the Effective Date 4th (fourth) instalment - On or before completion of 18 (eighteen) months from Effective Date.</p> <p><b>Grant:</b> If the Selected Bidder quotes a Grant, HSVP shall pay to the Developer such grant in 4 (four) equal installments as follows:</p> <p>1st (first) installment - On completion of roof casting of the first 2,000 (two thousand) EWS Units 2nd (second) installment - On completion of roof casting of subsequent 2,000 (two thousand) EWS Units 3rd (third) installment - On completion of roof casting of the subsequent 2,000 (two thousand) EWS Units 4th (fourth) installment - On completion of construction of remaining 1,500 (fifteen hundred) EWS Units and the Infrastructure Facilities, and on receipt of the SRP Completion Certificate for the SRP Assets.</p>
<b>Success Fee</b>	<p>(a) The Selected Bidder shall pay HSVP a fee of INR 2,50,00,000/- (Rupees Two Crore Fifty Lakhs only) (equivalent to 0.5% of the Total Project Cost) plus applicable service tax (the <b>Success Fee</b>), as a condition precedent to the execution of the Development Agreement. This amount shall be the upfront payment to be made by the successful Developer and has no relevance to the premium quoted/grant sought by the Developer.</p> <p>In case of any variation in the tentative project cost, the difference in amount shall be deposited by successful developer to HSVP/returned by HSVP to bidder, as the case may be</p> <p>(b) Success Fee shall be paid by HSVP to JLL in Rupees, as per the terms and conditions of the existing contract agreement between Executive Engineer -II, HSVP and JLL vide allotment no 57600 dated 31-3-2017.</p>
<b>Technical Criteria</b>	<p>(a) The Bidder may be a single entity or a group of entities (Consortium) coming together to implement the Project subject to compliance with Applicable Law. The term Bidder used hereinafter would therefore apply to both a single entity as well as Consortium.</p> <p>(b) Only companies registered under the Companies Act, 1956 or the Companies Act, 2013 or an equivalent law</p>



**HARYANA SHEHRI VIKAS PRADHIKARAN**

*EPP*

	<p>abroad shall be eligible to participate in the Bid Pro:</p> <p>(c) Technical Criteria The Bidder should have development or construction experience of more than 5 (five) Financial Years preceding the Proposal Due Date in developing Category A Projects and Category B Projects.</p> <p>(i) Category A Projects - Means housing projects, residential townships and other real estate projects (SEZs/Industrial Parks, schools, colleges, universities, IT-ITeS campuses, hostel buildings, auditoriums, convention centers, hotels, resorts and serviced apartments).</p> <p>(ii) Category B Projects - Means core infrastructure projects like highways, port terminal, airport terminal, railway stations and industrial infrastructure.</p> <p>At least one category A project should have capital cost of INR 1,00,00,00,000 (Rupees hundred crores) or more; provided, where the Bidder is relying on development experience, the cost of land shall not be included for determining the capital cost of the relevant Category A Project.</p> <p>For a project to be eligible for evaluation as a Category B Project, it should have capital cost of at least INR 3,00,00,00,000 (Rupees three hundred crores).</p> <p>For demonstrating that the Bidder has technical capacity to undertake the Project, the Bidder shall have development and/or construction experience in Category A Projects and Category B Projects such that:</p> <ul style="list-style-type: none"> <li>• Summation of (a) product of capital cost of Category A Projects and weightage of the Category A Projects; and (b) capital cost of Category B Projects and weightage of the Category B Projects, is INR 115,00,00,000 (Rupees one hundred fifteen crores) (Threshold Technical Capacity);</li> <li>• at least 25% of the Threshold Technical Capacity is met from Category A Projects; and</li> <li>• in order to demonstrate that the Bidder meets the Threshold Technical Capacity, total capital cost of a Category A Project shall be multiplied by a factor of 1.0x and the total capital cost of a Category B Project shall be multiplied by a factor of 0.5x.</li> </ul> <p>In case of a Consortium, experience of members who are proposed to have minimum 15% (fifteen percent) Capital in the SPV will be considered for evaluation of Technical Criteria.</p> <p>Bidders should also submit a letter from project finance companies / financial institutions demonstrating their willingness to provide loan for financing the Project.</p>
<p><b>Financial Criteria - minimum net worth</b></p>	<p>(a) The net worth of the Bidder in the last Financial Year should be a minimum of INR 125,00,00,000 (Rupees one hundred twenty five crores)- 25% of the estimated project cost</p> <p>(b) Financial capacity of the Consortium Members with more than 15% (fifteen percent) Capital in the proposed SPV will be considered for evaluation.</p>
<p><b>Institutional structure</b></p>	<p>An SPV to be incorporated under the Companies Act, 2013 for the purpose of implementation of the Project by the Selected Bidder.</p>

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## HARYANA SHEHRI VIKAS PRADHIKARAN

EPP

HSVP

<p><b>Condition for Consortium Bidders</b></p>	<p>(a) A Consortium of maximum 5 (five) Members will be allowed to participate in the Bid Process.</p> <p>(b) If the Selected Bidder is a company/partnership firm/proprietorship firm, such company/partnership firm/proprietorship firm shall be required to hold at least 51% (fifty one percent) of the equity of the SPV till the expiry of the SRP Construction Period, including extensions, if any.</p> <p>(c) In case the Selected Bidder is a Consortium, the lead member of the consortium shall hold 26% (twenty-six percent) stake in the SPV till the completion of SRP Construction Period, including extensions, if any and any Member, other than the Lead Member, whose technical capacity or financial capacity is being assessed, shall hold at least 15% (fifteen per cent) of the total Capital and voting rights of the SPV until the expiry of the SRP Construction Period. Consortium, as a whole, shall hold not less than 51% of the total capital and voting rights of the SPV till the expiry of the SRP construction period including extensions, thereof, if any.</p>
<p><b>General Conditions</b></p>	<p>After the signing of Development Agreement with the selected developer on Appointed Date, both parties shall be required to fulfill all condition precedents within 120 days. The date on which all the Conditions Precedent are met will be referred to as the Effective Date.</p> <p>The condition precedent shall deemed to be fulfilled by HSVP if 80% of the project area can be handed over to the Developer. In case, HSVP fails to hand over the rest 20% of the project area or part thereof to the Developer, the project cost of Slum Rehabilitation Project (SRP) shall be adjusted proportionately. All other payments, fees, grants shall also be adjusted, proportionately.</p> <p>The Selected Bidder shall pay to HSVP Delay Liquidated Damages for each day of delay beyond the Scheduled SRP Completion Date in case of SRP component for a period up to 6 (six) months, as per the Development Agreement. However, delay in completion of construction by more than 6 (six) months for the SRP from the respective scheduled dates will be construed as a default on the part of the Developer and would grant HSVP the right to terminate the Development Agreement.</p>
<p><b>Project Schedule</b></p>	<p>(i) The Bidder selected through the transparent Bid Process shall be issued an LOA by HSVP.</p> <p>(ii) Within 30 (thirty) days from the issuance of the LOA, the Selected Bidder shall accept the LOA, incorporate an SPV i.e., the Developer, for implementation of the Project and deposit the Project Development Fee, and the Project Development Expenses. On completion of these activities, the Developer shall execute the Development Agreement with HSVP. This date of execution of the Development Agreement will be referred to as the <b>Appointed Date</b>.</p> <p>(iii) Within 240 (two hundred and forty) days from the Appointed Date, all the Conditions Precedent are to be fulfilled by both the Developer and HSVP. The date on which all the Conditions Precedent is met will be referred to as the <b>Effective Date</b>.</p> <p>(iv) The period starting from Effective Date, during which the Developer shall complete the construction of SRP Assets and handover the same to HSVP will be referred to as the SRP Construction Period. This will be <b>24 (twenty-four)</b> months from the Effective Date, unless extended otherwise as per provisions of the Development Agreement.</p>

contd. on page-129



**HARYANA SHEHRI VIKAS PRADHIKARAN**

*RFP*

	(v) There shall be no restriction on PDP asset creation however, the developer shall abide by all regulation laid under Real Estate (Regulation & Development) Act, 2016.
<b>Escrow Account</b>	<p>(a) The Developer shall create and establish an escrow account as per the terms and conditions specified in part C of Volume III the RFP within 30 (thirty) days from the date of execution of Development Agreement, and latest by the CP Long-Stop Date.</p> <p>(b) The proceeds from: (i) equity contribution of the Developer; (ii) Financial Assistance from the Lenders; (iii) the Grant from HSVP, if applicable; and (iv) the provisional allotment/booking amount raised by the Developer from the PDP Units shall be deposited in the Developer Escrow Account.</p> <p>(c) The Developer Escrow Account shall be operational till the expiry of the SRP Construction Period.</p> <p>(d) The Developer Escrow Agreement would set out the waterfall mechanism against which money can be drawn and the Developer would be able to utilize funds for construction on the Developer's Area only after making payments to HSVP, if applicable, and utilizing funds towards completion of construction of the SRP Assets.</p>
<b>Fast Track Approval process</b>	HSVP shall make arrangements for expediting approval of building plans for the project
<b>Exemption from various fees, Charges &amp; Security Deposit on Slum Rehabilitation &amp; Resettlement (S.R.A) Area</b>	<p>For this Project, the Developer shall be eligible for exemption from following fees, deposits and charges limited to development on SRP :</p> <p>(a) exempted from sanction fee of building plans;</p> <p>(b) exempted from payment of external/peripheral development charges of urban local bodies; and</p> <p>(c) exempted from keeping security deposit with building plan approval agencies.</p>
<b>Pre-bid Meeting</b>	Pre-bid Meeting shall be held within 15 days from the date of floatation of RFP.

29. Now, the RFP has been received from XEN-II/SE Panchkula, vide CFMS No. 92704 dated 10.06.2021 (CP 487) and is placed below at C.P. 488 to 495, with the request to arrange approval of RFP from Hon'ble CM Haryana so that the same may be floated.

30. In view of position explained above and recommendations of field offices, may send the file to Hon'ble CM Haryana for approval of RFP so that the same may be floated by XEN-II please.

*CFMS-92892  
10-06-2021*

*Level  
Hon'ble CM.  
Hrm.*

*EE (HQ)  
CE-II*

*Ld. CA HSVP*

*ADA for  
vetry*

*ADA*

*10/06/2021*  
Vinod Kr. Gupta  
HDM

*10/06/21*  
ADITYA SHARMA  
EE (HQ)

*10/06/21*  
THE HON'BLE  
CE-III HSVP

*10/06/2021*  
ADA

As per directions on pre-page the draft RFP as prepared by Engineering wing, HSOV has been vetted qua the legal points.

Some conditions in General conditions clause have been added and Disclaimer has also been inserted with a view to protect HSOV's interest.

may consider for approval please

~~Ld CA~~

11/6/21

The draft RFP, duly vetted by legal branch is submitted for approval of Hon'ble CM, so that it can be floated.

Ld PST/CP

Hon'ble CM

Ajit  
11/6/2021  
AJIT BALAJI JOSHI, IAS  
CHIEF ADMINISTRATOR  
HSVP, RANCHKULA  
A. K. Singh  
PST/CP

C.M. has approved.

PST/CP

7-7-21  
(D.S. Dhesi)  
CP-CM

8-07-2021

CA (O.T)  
09/7/21

CE II  
E.C.H.

9/7/21



हरियाणा शहरी विकास प्राधिकरण

O/o Chief Town Planner,  
HARYANA SHEHRI VIKAS PRADHIKARAN

Tel. : 0172-2560605  
Website : www.hsvphry.org.in  
Email id : ctphsvp3@gmail.com  
Address : C-3 HSVP HQ Sector-6  
Panchkula

To

The Administrator,  
HSVP, Panchkula.

Memo. No.: CTP/DTP(L)/VY/16843.

Dated: 01/2/22

**Subject: CM Grievance No. CMOFF/N/2020/085241 - Sh. Avinash Malik, #303, GH-104-5, Sector-20, Panchkula.**

With reference to the above referred CM Grievance No. CMOFF/N/2020/085241 titled as 'Save Park no. 2008 Located behind G.H.S., 104-F, 104-G, 104-H, 104-I in Sector-20, Panchkula', it has been decided to restore the site of above said developed park as per approved Revised Layout-cum-Demarcation Plan dated 23.02.2017.

It is, therefore, requested to restore the Park site no. 2008 and amend the Layout-cum-Demarcation Plan of Sector-20(Part-II), Panchkula alongwith other changes/amendments in consonance with discussions held in various meetings. Four prints of the amended plan may be sent to this office for formal approval/signatures of Chief Administrator HSVP within one week's time.

*(Signature)*  
o/c (Lata Hooda, DTP)  
for Chief Town Planner, HSVP

Endst no. CTP/DTP(L)/VY/16844, 45, 17572 Dated: 01/2/22

A copy of above is forwarded to the following for information and necessary action please:-

1. The Senior Town Planner, Panchkula.
2. The District Town Planner, Panchkula.

*(Signature)*  
o/c (Lata Hooda, DTP)  
for Chief Town Planner, HSVP



हरियाणा शहरी विकास प्राधिकरण  
O/o Chief Town Planner,  
HARYANA SHEHRI VIKAS PRADHIKARAN

-213 -  
Tel. : 0172-2560605  
Website : www.hsvphry.org.in  
Email id : ctphsvp3@gmail.com  
Address : C-3 HSVP HQ Sector-6  
Panchkula

To

The Administrator,  
HSVP, Panchkula.

Memo. No.: CTP/DTP(L)/VY/ 11027

Dated: 21/1/22

**Subject: Amendments in approved Layout Plan of Sector-20 (Part-II), Panchkula.**

The sites for Slum Rehabilitation Project measuring 8.625 acres and the land proposed to be given to the Developer for monetization purpose measuring 20.00 acres have been approved 'in-principle' by Chief Administrator, HSVP. A copy of re-revised Layout Plan of Sector-20(Part-II), Panchkula showing the approved proposal in red colour is enclosed for further necessary action please.

It is requested to finalize the planning of rest of the sector area at the earliest and send to this office for approval of Chief Administrator HSVP.

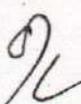
DA/As above.

  
(Lata Hooda, DTP)  
for Chief Town Planner, HSVP

Endst no. CTP/DTP(L)/VY/ 11028, 29, 30, 31, 32, 33 Dated: 21/1/22

A copy of above is forwarded to the following for information and necessary action please:-

1. The Chief Architect, HSVP, Panchkula.
2. The Chief Controller of Finance, HSVP, Panchkula.
3. The Chief Engineer-II, HSVP, Panchkula.
4. The Senior Town Planner, Panchkula.
5. The District Town Planner, Panchkula alongwith a copy of approved Plan with the request to circulate the same to all the concerned offices including this office.
6. The Estate Officer, HSVP, Panchkula.

  
(Lata Hooda, DTP)  
for Chief Town Planner, HSVP

Letter-DTP(L)-2022

be carried out in Sector-20 & 28 Panchkula.  
After adjusting them in Sector-20, Panchkula slum dwellers of Kharak Mangoli colony and other scattered jhuggis settlement in